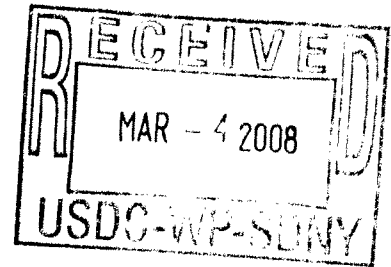


Kevin J. Harrington (KH-5027)
John T.A. Rosenthal (JR-4819)
HARRINGTON, OCKO & MONK, LLP
81 Main Street, Suite 215
White Plains, NY 10601
(914) 686-4800 Telephone
(914) 686-4824 Facsimile

Attorneys for Plaintiff



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MADISON ABSTRACT, INC., a New York corporation,)

Plaintiff,)

-against-)

MADISON ABSTRACT TITLE CORP., a New York
corporation,)

Defendant.)

Case No. 08 Civ 2171 (CLB)

**DECLARATION OF JOHN
T.A. ROSENTHAL IN
SUPPORT OF PLAINTIFF'S
ORDER TO SHOW CAUSE**

I, John T.A. Rosenthal, the undersigned, declare under penalty of perjury under the laws of the United States that the following is true and correct, and that this Declaration was executed on March 4, 2008 in White Plains, New York.

1. I am an associate with law firm of Harrington, Ocko & Monk, LLP, counsel for Plaintiff, MADISON ABSTRACT, INC. ("Madison Abstract" or "Plaintiff"), in the above-captioned matter. I make this Declaration in support of Plaintiff's Order to Show Cause for a preliminary injunction precluding Defendant, MADISON ABSTRACT TITLE CORP. ("MATC" or "Defendant") from using Plaintiff's registered service mark "Madison Abstract" or any confusingly similar mark in promoting, advertising or marketing Defendant's title services or title insurance services. I know all of the following facts of my personal knowledge, or

through discussion with other attorneys in my firm, or through review of relevant documents pertaining to this matter.

2. Plaintiff is a New York corporation with its principal place of business at 670 White Plains Road, Scarsdale, New York 10583. See attached hereto as Exhibit "A", a true and correct copy of excerpts of web pages from Madison Abstract's website, www.madisonabstract.com. (Madison Abstract has been promoting its title services and title insurance services via the web using the service mark "Madison Abstract" since as early as 2000.)

3. Over the past 2-3 years, Plaintiff has generated gross annual revenues of approximately \$3-4 million.

4. On July 1, 2003, Madison Abstract applied for registration of the service mark "Madison Abstract" in International Class 036, U.S. Classes 100, 101, 102 for real estate title insurance services. See attached hereto as Exhibit "B", a true and correct copy of the Trademark Electronic Search System (TESS) record for the service mark "Madison Abstract". Madison Abstract applied for this mark with a date of first use in commerce of May 12, 1984. On November 2, 2004, the U.S. Patent & Trademark Office ("USPTO") issued Madison Abstract a Registration Number 2899680 for the service mark "Madison Abstract" in the above-described classes.

5. Over the past 3-4 years, Plaintiff has expended \$50,000 - \$80,000 annually to advertise, market and promote its title services and title insurance services using the service mark "Madison Abstract". Plaintiff Madison Abstract has expended significant resources in promoting, marketing and advertising its title services and title insurance services under the service mark "Madison Abstract", and associated service dress for that mark. Madison Abstract

also registered its name with the New York State Department of State, Division of Corporations on May 25, 1984. See attached hereto as Exhibit "C", a true and correct copy of the New York State Department of Corporation and Business Entity Database printout for Madison Abstract, Inc.

6. Madison Abstract has also marketed, advertised and promoted its title services and title insurance services through its monthly newsletter entitled "Madison Abstractions". See attached hereto as Exhibit "D", a true and correct copy of the Madison Abstraction issue for December 2005.

7. Madison Abstract has also marketed, promoted and advertised its title services and title insurance services through various other means to consumers in New York and countrywide on the worldwide web. See attached hereto as Exhibit "E", a true and correct copy of the Madison Abstract promotional material on the website www.manta.com.

**MADISON ABSTRACT TITLE CORP. INFRINGES
PLAINTIFF'S SERVICE MARK "MADISON ABSTRACT"**

8. In early 2008, it came to Plaintiff's attention that another title insurance services company was utilizing the mark "Madison Abstract Title Corp." to promote, market and sell that company's title insurance services. See attached hereto as Exhibit "F", a true and correct copy of excerpts of Defendant MATC's web-page, myfavoritetitlecompany.com. Each and every page on Defendant's website uses Defendant's infringing, unregistered service mark "Madison Abstract" to promote, advertise and market Defendant's title services and title insurance services. Such website is available to consumers in the Southern District of New York. Defendant's website contains online forms available for use by consumers in this judicial district. Defendant used, and continues to use, the infringing service marks "Madison Abstract Title Corp." and

"Madison Abstract", despite the fact that Plaintiff has been using the service mark "Madison Abstract" for title services and title insurance services since 1984.

9. Defendant also provides consumers with forms which contain an infringing mark "Madison Abstract Title Corp.", and which consumers in this judicial district can download off the web See attached hereto as Exhibit "G", a true and correct copy of a Madison Abstract Title Corp. Application for Title Insurance.

10. Defendant MATC has also apparently registered itself as a domestic business corporation with the New York State Department of State, Division of Corporations. See attached hereto as Exhibit "H", a true and correct copy of the printout from the New York State Department of State, Division of Corporations corporate search result for Madison Abstract Title Corp.

**MADISON ABSTRACT SENDS DEFENDANT
A CEASE AND DESIST LETTER**

11. On January 22, 2008, our firm sent a cease and desist letter to Defendant MATC. See attached hereto as Exhibit "I", a true and correct copy of the January 22, 2008 letter to Defendant. In this letter, our office informed Defendant that its use of the service mark "Madison Abstract Title Corp." infringed upon our client's rights, title and interest in the service mark "Madison Abstract" for title services and title insurance services. Attached to our letter was a USPTO TESS printout for our client's service mark "Madison Abstract" to document our client's ownership of this service mark. Our office requested that Defendant inform us of Defendant's intentions with regard to our request that Defendant cease and desist using the infringing mark "Madison Abstract Title Corp." To date, our office has received no response whatsoever from Defendant to our letter and has received no information from Defendant indicating that it has stopped using the infringing service marks, "Madison Abstract Title Corp."

or "Madison Abstract". Plaintiff has been, and continues to be, injured by Defendant's use of the infringing service marks, "Madison Abstract Title Corp." and "Madison Abstract".

Dated: White Plains, New York
March 4, 2008

Respectfully submitted,

HARRINGTON, OCKO & MONK, LLP

By: 

Kevin Harrington, Esq. (KH-5027)

John T.A. Rosenthal, Esq. (JR-4819)

HARRINGTON, OCKO & MONK, LLP

81 Main Street, Suite 215

White Plains, NY 10601

Tel: (914) 686-4800

Fax: (914) 686-4824

Attorneys for Plaintiff

MADISON ABSTRACT, INC.

TO: MADISON ABSTRACT TITLE CORP.
201 Moreland Avenue
Hauppauge, New York 11788

EXHIBIT A



MADISON ABSTRACT, INC.



Madison Direct

February 12, 2008

Madison Abstract

Username

Password

Password Help? Log In

Register > | Learn More >

Madison Toolbox

- > Forms Online
- > Helpful Links
- > Calculators
- > ACRIS

610 White Plains Road
Scarsdale NY 10583

Tel: (914) 725-7200
Fax: (914) 725-7724
info@madisonabstract.com

At Madison, we are highly experienced in commercial real estate titles including apartment complexes, shopping centers, and office buildings. We conduct multi-state, multi-property, and/or complex commercial transactions.

We offer innovative and flexible underwriting via our two nationally ranked underwriters, First American Title Insurance Company and Stewart Title Insurance Company. Our in-house counsels are readily available to resolve issues that can threaten a potential closing. We provide expedited services on municipal issues via established connections between our company and County/Borough officials. We are knowledgeable about securitized transactions as well as conventional bank financing.

Approximately eighty percent (80%) of our closings are done by our knowledgeable, in-house closers, who are familiar with your file prior to closing, and who are able to execute the transfer or financing with efficiency and confidence. Our comprehensible title reports can be made available in as little as four business days and are available for review on-line as they are being developed. Learn more about our [Title Online](#).

We provide industry updates including interesting news, people and/or places of relevance to the Real Estate/Title Industry via our monthly on-line newsletter Madison Abstracts. Visit our [Newsletter Archive](#).

**Top Deals**

\$17.2M purchase
buildings in Manh

\$11.55M purc
Manhattan apart

\$4.25M purchase
County office buil

Tip of the Month

When preparing agreement for re one or more of th mortgages invc consolidation a entire mortgage c to the consolid amount must be document (much 255 Affidavit). Re will not accept agreement that and amounts wil account of 1 mortgages res consolidated amc the subordination

News

[Home](#) | [Contact](#) | [Site Map](#) | [Privacy](#)

© Copyright 2005, Madison Abstract, Inc. All



MADISON ABSTRACT, INC.

Madison Direct

February 12, 2008

Madison Abstract

Username

Password

Password Help? Log In

Register > | Learn More >

Madison Toolbox

- > Forms Online
- > Helpful Links
- > Calculators
- > ACRIS

670 White Plains Road
Scarsdale, NY 10583

Tel: (914) 725-7200
Fax: (914) 725-7724
info@madisonabstract.com

Originally located on Madison Avenue in Manhattan, the company relocated to southern Westchester County in 1987. Our expansion and relocation placed us in an optimal position to serve clients in the tri-state area. As members of the American Land Title Association and the New York State Land Title Association, we offer you quality insurance, and guarantee you nothing less than peace of mind.

Contact Us

Madison Abstract, Inc.
670 White Plains Road, Suite 121
Scarsdale, NY 10583

Phone: (914) 725-7200

Toll Free: (800) 553-4277

Fax: (914) 725-7724

Email: info@madisonabstract.com

Email Directory >

Email Us

Name *

Email *

Confirm Email *

Subject *

Message

Top Deals

\$17.2M purchase
buildings in Manh

\$11.55M purchase
Manhattan apart

\$4.25M purchase
County office buil

Tip of the Month

When preparing agreement for re one or more of th mortgages invc consolidation a entire mortgage c to the consolid amount must be document (much 255 Affidavit). Re will not accept agreement that and amounts wil account of 1 mortgages resi consolidated amc the subordination

News

Submit Email * All Fields Required.

Home Contact Site Map Privacy

© Copyright 2005, Madison Abstract, Inc. All

EXHIBIT B



United States Patent and Trademark Office

[Home](#) | [Intro](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contact Us](#) | [About TESS](#) | [Privacy Policy](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Jan 22 04:11:06 EST 2008

[TESS Home](#) | [New User](#) | [STRUCTURED](#) | [FREE FORM](#) | [Browse Dict](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)
[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TARR Status](#) | [ASSIGN Status](#) | [TDR](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark MADISON ABSTRACT
Goods and Services IC 036. US 100 101 102. G & S: REAL ESTATE TITLE INSURANCE SERVICES. FIRST USE: 19840512. FIRST USE IN COMMERCE: 19840512
Mark Drawing Code (1) TYPED DRAWING
Serial Number 78269322
Filing Date July 1, 2003
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition August 10, 2004
Registration Number 2899680
Registration Date November 2, 2004
Owner (REGISTRANT) Madison Abstract, Inc. CORPORATION NEW YORK 670 Post Road Scarsdale NEW YORK 105835027
Attorney of Record Dorothy R. Whitney
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ABSTRACT" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

[TESS Home](#) | [New User](#) | [STRUCTURED](#) | [FREE FORM](#) | [Browse Dict](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)

EXHIBIT C



Department of State

Division of Corporations

Search Our Corporation and Business Entity Database

The Corporation and Business Entity Database includes business and not for profit corporations, limited partnerships, limited liability companies and limited liability partnerships, as well as other miscellaneous businesses. This information is best viewed with Netscape Navigator 7.0 and above or Internet Explorer 6.0 and above. Please note that the database does not include corporate or other business entity assumed names filed pursuant to General Business Law, §130. Assumed name filings are filed and maintained by the Division of Corporations for corporations, limited liability companies and limited partnerships. Although maintained by the Division of Corporations, searches of records of assumed names used by corporations, limited liability companies and limited partnerships must be made by a written, faxed or e-mail request to the Division. All other entities such as general partnerships, sole proprietorships and limited liability partnerships file an assumed name certificate directly with the county clerk in each county in which the entity conducts or transacts business.

Every effort has been made to ensure that the information contained on this site is up to date and accurate. As the Department relies upon information provided to it, the information's completeness or accuracy cannot be guaranteed. If you have any questions about performing a search or the results you receive, please contact the NYS Department of State, Division of Corporations at (518) 473-2492, Monday - Friday, 8:30 a.m. - 4:30 p.m.

The information contained in this database is current through February 15, 2008.

Search Criteria

Entity Name * madison abstract

Name Type * Active Only

Search Type * Begins With

The items marked with * are required.

Search the Database

To search the database do the following:

1. Enter the Corporation or Business Entity Name being searched for.

NYS Department of State

Division of Corporations

Entity Information

Selected Entity Name: MADISON ABSTRACT INC.

Selected Entity Status Information

Current Entity Name: MADISON ABSTRACT INC.

Initial DOS Filing Date: MAY 25, 1984

County: WESTCHESTER

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

MADISON ABSTRACT INC.

SUITE 121

670 WHITE PLAINS ROAD

SCARSDALE, NEW YORK, 10583

Registered Agent

NONE

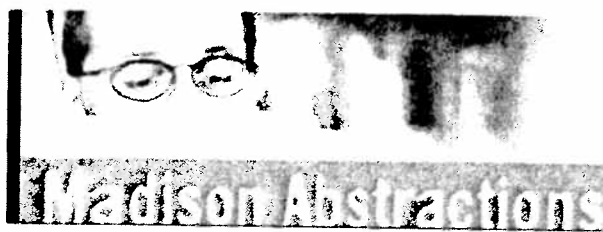
NOTE: New York State does not issue organizational identification numbers.

[Search Results](#)

[New Search](#)

[Division of Corporations, State Records and UCC Home Page](#) [NYS Department of State Home Page](#)

EXHIBIT D



MADISON ABSTRACTS, INC.

December 2005 Issue

Feature Article

CAVEAT EMPTOR: SELLER'S PREROGATIVE OR BUYER'S PROBLEM?

I remember when I first saw my co-op. It was gorgeous! Well...on-line it was. And even in reality, it was a dream come true complete with angels and harps. But without a pre-closing inspection, a year or two later, it is a clear case of caveat emptor and a choice between frustration and furor.

According to the American Heritage College Dictionary, caveat emptor (or buyer beware) is "the axiom or principle in commerce that the buyer alone is responsible for assessing the quality of a purchase before buying," and whose definition is taken at face value by almost all in the real estate industry. But, according to the The New York Times, legislature and courts are now dismissing the notion that buyers alone should assume all responsibility.

The fact is, we all want to live in an ideal world. There, a seller's word would be his/her honor and buyers would not have to contend with vertical blinds stapled at the top as a security mechanism with the desperate hope that the party of the second part would not be so cynical and distrustful as to actually check! But, unfortunately, this is not the case, and it is because of this fact that the New York Real Property Law now requires sellers of one- to four-family homes to provide buyers with a completed 48-question property condition disclosure statement before the contract is even signed. Many however, refuse to complete it opting to credit the buyer an appeasement payment of \$500.00 at closing. White Plains lawyer Edward I. Sumer noted that a 1985 Appellate Court also ruled that sellers cannot actively conceal conditions, make affirmative misrepresentations or make partial disclosures when asked a direct question. If determined that an outright lie was provided as a means of securing a sale, it could constitute fraud or misrepresentation. Yet, while federal law requires that sellers fess up on heavy stuff like lead-based painting issues, structural cracks, and septic issues, for example, they are not obligated to disclose conditions that a thorough inspection clearly would have revealed, like a leaky roof and clogged drains.

But, sellers are not the only ones on the hook for dealing reputably with buyers. Brokers are too. Under the Real Property Law, brokers are obligated to share any facts that they are privy to that will ultimately affect the value or desirability of the property. So, if the seller mentioned to his agent "in confidence" that the side-by-side refrigerator does not dispense ice consistently, then, by law, he/she must reveal this fact. But, who polices this kind of thing if the broker fails to meet his obligations? And if the buyer does find out five years later during remodeling that the seller's purpose for putting tact paper over the cupboards was not aesthetically driven, but rather a cover up for probably a termite problem or something similar, then what?

The consensus of most in the industry is that the most important thing a buyer can do is to hire competent inspectors...those who test for structural/mechanical and environmental/natural problems (like insect invasion and water contamination). According to The New York Times, a home inspection costs \$600.00 to \$800.00 and usually includes a termite inspection and a test to determine if sewage is

Top Deals of the Month

1. \$5,225,000 refinance to two Manhattan buildings.
2. \$2,900,000 2nd mortgage on a Manhattan apartment building

Tip Of The Month

Please note that ACRIS documents displaying a fax transmission report at the top or bottom will be rejected. Please make sure that you white out the fax information prior to submitting it for recording.

Notable News

<http://www.taxreformpanel.gov>
(Federal Tax Reform Report)

http://nyc.gov/html/dof/html/pub/pub_property_lots.shtml
(Subdivision Forms)

property@ins.state.ny.us (New York State Insurance Department)

mortgage@banking.state.ny.us
(New York State Banking Department Mortgage Banking Division)
Phone: 1-877-bank-nys Web address:
<http://www.banking.state.ny.us/ccs.htm>
(HUD RESPA Enforcement)
Phone: 202-708-0502

Madison Abstract, Inc
670 White Plains Rd.
Suite 121
Scarsdale, NY 10583

800-553-4277
Ph: (914)-725-7200
Fax: (914)-725-7724

www.madisonabstract.com

To unsubscribe to this newsletter email us at

seeping to the surface. Well tests cost \$50.00 to \$200.00 and a radon test runs \$75.00 to \$125.00. But, one cannot expect that a thorough inspection will reveal every single thing so should the sellers just spit it out and hope that their honesty will go over well with the buyers? Some say no and advise that it is best for sellers not to communicate at all with the buyers especially while the brokers are striking a deal. But, honesty may still be the best policy. When all is said and done, if a buyer really wants the house, the deal will be restructured to compensate for the findings, and in the end, both parties will be mutually satisfied. The alternative to that may be expressed in the old adage: what is done in the dark will be revealed in the light, and you wouldn't want when the dawn breaks, a subpoena awaits....

info@madisonabstract.com
and put "unsubscribe" in
the subject of the email.

Happy Holidays, and all the best for the New Year!

- Leisa Premdas

Industry News

SPECIAL ADD'L MORTGAGE TAX CREDIT RETROACTIVE TO 2004

If you paid the special additional mortgage recording tax to record a mortgage on or after January 1, 2004, you may qualify for a credit of \$.25 per \$100.00 of the mortgage received. Partners in a partnership, estates and trusts, and beneficiaries of estates and trusts may also qualify for this credit if the partnership, estate or trust (in its tax year beginning on or after January 1, 2004), paid the recording tax on or after January 1, 2004. Please note that this is only for commercial properties, or residential properties having six (6) units or more. The tax credit does not apply for residential properties having less than six (6) units in Erie, New York, Bronx, Queens, Kings, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester Counties on which the special additional tax has been paid. It also does not apply to shareholders of New York S corporations that can claim the credit directly on their New York State S Corporation return using Form CT-43.

If the amount of the special additional mortgage recording tax credit exceeds your tax for the tax year, you may carry over the amount of credit exceeding your tax to the following year or years, or you can elect to treat the unused amount of credit as an overpayment of tax to be credited or refunded, without interest.

DISCHARGE COMPLIANCE CERTIFICATE FOR THE TOWN OF MAMARONECK

Please note that effective January 1, 2006, the sale of all real property in the Town of Mamaroneck will require a "Discharge Compliance Certificate." The Town issues this certificate once a licensed plumber (contracted by the owner) inspects and sanctions the property as compliant with the laws regulating the discharge of liquids from said properties prior to conveyance. In the absence of such a certificate, occupying said real property in the unincorporated area of the Town, after the sale, would be illegal. A \$50.00 charge for said certificate applies. Additional information can be obtained by contacting the Town directly at 914/381-7830 or our office at 914/725-7200.

BOROUGH RECORDINGS

Did you know that in the New Year, recordings for properties located in Bronx, Brooklyn and Queens can be submitted to a City Register's Office in any of those areas? The proposed change is scheduled for January 3, 2006. Watch for confirmation on the subject.

Company News

MADISON ABSTRACT EXPANDS INTO NEW JERSEY

In an attempt to better serve the New Jersey market, Madison Abstract will be launching a New Jersey Chapter, Midland Abstract, Inc. in January of 2006. The company will be headed by current President & CEO of Madison Abstract, Inc., Jeffrey K. Hass, Esq., with Dennis J. Lustenberg operating as Vice President of Sales and Jeffrey M. Riedl as Director of Customer Relations. The contact information for the company is as follows: Midland Abstract, Inc.

45 North Broad Street

Ridgewood, NJ 07450

201-251-8000 - phone

877-214-8200 - toll free #

201-251-9190 - fax

www.midland-abstract.com (coming soon)

Dennis J. Lustenberg, Vice President of Sales, dlustenberg@optonline.net; cell:

201-652-1111

Jeffrey M. Riedl, Director of Customer Relations, jriedl@verizon.net, cell: 201-951-8275

Watch for additional information on Midland Abstract via Madison Abstractions and company mail in the coming weeks.

Copyright © 2006 Madison Abstract, Inc.

EXHIBIT E

Home > Find a Company > **NY** > NY > Garden City

Login: Password:
[Forgot your password?](#)

[Best Practices for Compensation Billable Utilization](#)

COMPANIES: [Title Insurance Services, Inc.](#) [Title Insurance Services, Inc.](#) **NY**

RESOURCES: [Title Insurance Services, Inc.](#) [Title Insurance Services, Inc.](#) [Title Insurance Services, Inc.](#)

Enter U.S. Company Name

BUSINESS CENTERS: [Title Insurance Services, Inc.](#)

[Home](#) > [Find a Company](#) > [Garden City, NY](#) > [Business Services](#) > [Real Estate](#) > [Title Abstract Offices](#) > [Title Abstract Offices](#) > [Madison Abstract Inc](#)

Madison Abstract Inc

233 7th St, Garden City, NY 11530-5747, United States (Map) (Add Company Info)

Phone: (516) 746-7100

SIC: Title Abstract Offices

Line of Business: Title Abstract Office

Ads by Google

Title Insurance Services When You Require Title Insurance Services Call An Expert, Call Us.

[Add Company](#)
[Add/View Note](#)
[Add Contact](#)
[View Contact](#)
[Edit Company](#)
[Set Company](#)

[>> go to it](#)

Find Jobs in Garden City, NY

National Title Company We service 49 states Anytime/Anywhere closings!

Title Companies Looking For A Title Company? Search Local.com To Find One!

The ads are not affiliated with Madison Abstract Inc

Detailed Madison Abstract Inc Company Profile

This company profile is for the private company Madison Abstract Inc, located in Garden City, NY. Madison Abstract Inc's line of business is title abstract office.

Company Profile: Madison Abstract Inc

Year Started: N/A

State of Incorporation: N/A

URL: N/A

Location Type: Single Location

Stock Symbol: N/A

Stock Exchange: N/A

Also Does Business As: N/A

NAICS: N/A

SIC #Code: [View Details](#)

Est. Annual Sales: [View Details](#)

Est. Employees: 2

Est. Employees at Location: 2

Contact Name: N/A

Contact Title: N/A

Title Insurance Services

When You Require Title Insurance Services Call An Expert, Call Us.
www.ExpertTitle.com

National Title Company

We service 49 states Anytime/Anywhere closings!
www.us-titleonline.com

Title Companies

Looking For A Title Company? Search Local.com To Find One!
Local.com

Cornerstone Title

Save up to \$1,350 in fees when you purchase or refinance a home
www.cornerstoneCCR.com

Ads by Google

Data above provided by D&B.

Additional Madison Abstract Inc Company Information

Have some information to add about Madison Abstract Inc?

Manta allows you to make additions and corrections to the information available for the *Madison Abstract Inc* company profile. [«Learn More](#)

Add Company Information

Set Company Alert

Stay in the know. Sign up to receive email alert notification when new information about Madison Abstract Inc is available.

Set Company Alert

Looking for reports & articles on Madison Abstract Inc?

Manta also provides financial reports, credit reports, news articles, and market research reports on Madison Abstract Inc.

View Reports & Articles

Copyright 2007 Dun and Bradstreet, Inc. All Rights Reserved.



NOI
STUDIO & G
Contemporary L
Paintings by Marsh
-worldwide ship

www.noicestudio.com
Ads by Google

Find reports and a
Madison Abstract I

Find other Madisc
companies

More Companies in
This Industry
Garden City, N

EXHIBIT F

Welcome To Madison Abstract

Madison Abstract has built a reputation for providing fast, unparalleled service with advanced technology to make your business a success. We welcome the opportunity to provide our exclusive services to clients throughout the tri-state areas of New York, New Jersey, and Connecticut.

Our experience and desire to provide the best possible service at the lowest possible cost has allowed us to enjoy favorable partnerships with our clients.

Our trained staff is equipped to share insights and to offer creative suggestions on complex matters. We enjoy challenges and have proven ourselves time and time again.

home

services

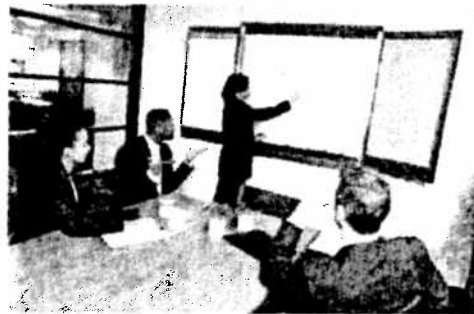
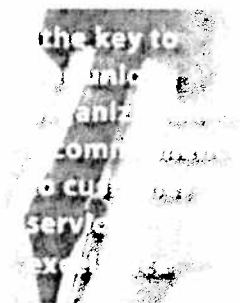
order forms

online forms

industry links

privacy notice

contact us



Our Services

Through our extensive database of abstractors we provide Title Services on a local and national level.

Through its "one source" solution and "one stop" coordination, Madison efficiently bundles key services all under "one roof" to effectuate smooth seamless transactions.



TAX SEARCHES

- Tax Continuation
- Remittance of Tax Bills



[home](#)
[services](#)
[order forms](#)
[online forms](#)
[industry links](#)
[privacy notice](#)
[contact us](#)



Online Forms

Affidavit Of Title
Attorney's No ID Affidavit
Durable Power Of Attorney
Escrow Agreement
Fence And Boundary Affidavit
Heirship Affidavit
Lost Note Affidavit
Mortgage Payoff Indemnity Agreement
National Invoice
No Consideration Affidavit
NY City Recording Cover Sheet
NY City RPT Transfer Form
NY City Smoke Detector Affidavit
NY General Affidavit
NY HPD Affidavit in Lieu of Registration
NY Orange County Recording Cover Sheet
NY Peconic Bay Transfer Form
NY Putnam County Recording Cover Sheet



home
services
order forms
online forms
industry links
privacy notice
contact us



Privacy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Madison Abstract.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.



[home](#)
[services](#)
[order forms](#)
[online forms](#)
[industry links](#)
[privacy notice](#)
[contact us](#)



Contact Info

Madison Abstract

201 Moreland Rd
Suite 10
Hauppauge NY 11788

Phone

631 357 3706

Fax

866 726 1952

Email

colaechea@myfavoritetitlecompany.com

Orders

orders@myfavoritetitlecompany.com

Clearance

clearance@myfavoritetitlecompany.com



[home](#)
[services](#)
[order forms](#)
[online forms](#)
[industry links](#)
[privacy notice](#)
[contact us](#)



Order Forms

Madison Abstract understands the complexities that new technology has brought to the world.

With this in mind, we offer several user-friendly ways to submit title application orders.

These provide a range of options for those of you that are up to the challenge of new technologies to those who prefer tried and true methods.

The forms on this page may be filled out electronically, printed, and then faxed or mailed back to us; or you may simply print a blank form, fill it out by hand, and then fax or mail it back to us. Please pick whichever option fits your needs, and if you have any technical difficulties, please use our contact page for details.



- [home](#)
- [services](#)
- [order forms](#)
- [online forms](#)
- [industry links](#)
- [privacy notice](#)
- [contact us](#)



Purchase & Sales Order Form



Refinance Order Form



Fax orders to:

866 726 1952

Mail your orders to:

Madison Abstract



EXHIBIT G

MADISON ABSTRACT TITLE CORP.

APPLICATION FOR TITLE INSURANCE

Fax # 866-726-1952

Date: _____

Purchase Price: _____

Due Date: _____

Mortgage Amount: _____

APPLICANT:

PURCHASER (S):

RECORD OWNER (S):

Tel.# _____

Fax # _____

PREMISES:

SELLER'S ATTORNEY:

Tel.# _____

District: _____

Section: _____

Fax# _____

Block # _____

Name of Bank: _____

Lot: _____

SEND MORTGAGE REPORT TO:

ORDER THE FOLLOWING SEARCHES

Suffolk & Nassau Counties:

☐ Certificate of Occupancy

☐ Street Report

☐ Housing and Building

Tel.# _____

New York City:

☐ Housing and Building

☐ Fire Department Search

☐ Emergency Repairs

☐ Certificate of Occupancy

☐ Street Report

☐ Other

SURVEY INSTRUCTIONS:

☐ Survey herewith

☐ Locate existing

☐ Order New Survey

☐ Applicant to send

☐ Order inspection

☐ Survey endorsement

EXHIBIT H

NYS Department of State

Division of Corporations

Entity Information

Selected Entity Name: MADISON ABSTRACT TITLE CORP.

Selected Entity Status Information

Current Entity Name: MADISON ABSTRACT TITLE CORP.

Initial DOS Filing Date: APRIL 08, 2005

County: SUFFOLK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

MADISON ABSTRACT TITLE CORP.

17 HICKORY LANE

SMITHTOWN, NEW YORK, 11787

Registered Agent

NONE

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#)

[New Search](#)

[Division of Corporations, State Records and UCC Home Page](#) [NYS Department of State Home Page](#)

EXHIBIT I

Harrington, Ocko & Monk

A LIMITED LIABILITY PARTNERSHIP

Attorneys at Law

White Plains Office

81 Main Street – Suite 215
White Plains, NY 10601
Tel: (914) 686-4800
Fax: (914) 686-4824

Kevin J. Harrington, Partner
e-mail: kharrington@homlegal.com

New York City Office

52 Duane Street, 7th Floor
New York, NY 10007
Tel: (212) 227-8004

Reply to White Plains Office

January 22, 2008

Via UPS Next Day Air

President
Madison Abstract Title Corp.
201 Moreland Road
Suite 10
Hauppauge, NY 11788

Re: Madison Abstract, Inc.

To Whom It May Concern:

Please be advised that this firm has been retained as counsel to Madison Abstract, Inc. (“Madison Abstract”) in connection with your company’s operation under the name Madison Abstract Title Corp. and your ongoing infringement of Madison Abstract’s service mark and business identity.

Madison Abstract, Inc. has been using the service mark Madison Abstract since 1984. The company filed for registration of this service mark on July 1, 2003 and obtained a registration for the mark Madison Abstract on November 2, 2004 based on a first use in commerce date of May 12, 1984. Enclosed is an abstract from the records of the U.S. Patent and Trademark Office documenting our client’s ownership of this mark.

As you know, Madison Abstract recently became aware that your company was using the name Madison Abstract Title Corp. in conducting business as a real estate title insurance company.

President
Madison Abstract Title Corp.
January 22, 2008
Page 2

The President of Madison Abstract, Jeffrey Haas, recently contacted you by telephone and demanded that you immediately cease and desist from use of the name Madison Abstract, and specifically recommended that you change the name of your company if you intend to continue doing business as a title company.

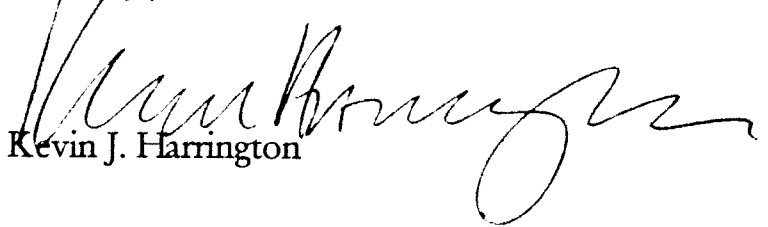
To our knowledge, no action has been taken by you to change the name under which your company is operating, or to otherwise respect the rights of Madison Abstract to its longstanding service mark in the field of real estate title insurance services.

By this letter, this firm as counsel to Madison Abstract, is formally demanding that Madison Abstract Title Corp. cease and desist using the name Madison Abstract, or any variation thereof, in connection with real estate title insurance services. We ask that we inform our firm of your intentions in that regard no later than January 31, 2008.

If your firm continues to utilize the name Madison Abstract Title Corp. and does not cease infringing our client's service mark, we have been instructed to take legal action against your company to enjoin its use of the name Madison Abstract and to seek all appropriate damages for past, present, and future infringement.

This is a serious matter and we ask you to bring yourself in compliance with the requirements of the Lanham Act in respect of the service mark rights which our client has established in this name.

Sincerely yours,


Kevin J. Harrington

KJHsbt
Enc.

cc: Mr. Jeffrey Haas (w/enc.)
Madison Abstract, Inc.

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [Index](#) | [News](#) | [Topics](#) | [Help](#)

TESS was last updated on Tue Jan 22 04:11:06 EST 2008

[Logout](#) Please logout when you are done to release system resources allocated for you.

TARR Status **ASSIGN Status** **TDR** **TTAB Status** (Use the "Back" button of the Internet Browser to return to TESS)

| | |
|---------------------------------|---|
| Word Mark | MADISON ABSTRACT |
| Goods and Services | IC 036. US 100 101 102. G & S: REAL ESTATE TITLE INSURANCE SERVICES. FIRST USE: 19840512. FIRST USE IN COMMERCE: 19840512 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 78269322 |
| Filing Date | July 1, 2003 |
| Current Filing Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | August 10, 2004 |
| Registration Number | 2899680 |
| Registration Date | November 2, 2004 |
| Owner | (REGISTRANT) Madison Abstract, Inc. CORPORATION NEW YORK 670 Post Road Scarsdale NEW YORK 105835027 |
| Attorney of Record | Dorothy R. Whitney |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ABSTRACT" APART FROM THE MARK AS SHOWN |
| Type of Mark | SERVICE MARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | LIVE |

[TEST HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[TOP](#)
[HELP](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)